

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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PEGASO DEVELOPMENT INC.,

Plaintiff,

v.

MORIAH EDUCATION MANAGEMENT
LP AND MORIAH SOFTWARE
MANAGEMENT LP,

Defendants.

CIVIL ACTION NO. 19-cv-7787

**AGREED ORDER DISMISSING
COUNT II**

The parties have informed the Court that they have agreed that the claims in Count II against defendant Moriah Software Management, LP in this case will be dismissed upon the following terms and others which are further set forth in a Confidential Settlement Agreement:

1. Pegaso Development Inc. will dismiss only its claim in Count II in the above-captioned case against Moriah Software Management LP with prejudice subject to the conditions set forth in Paragraph 2 below.

2. Pegaso Development Inc. will not settle, resolve, release, discharge, or dismiss any other actual or potential claims, lawsuits, liabilities, or disputes ("Unreleased Claims").

Accordingly, after considering the above-referenced terms and the agreed motion to dismiss, this Court: (1) grants the motion to dismiss and dismisses the claim in Count II in the above-captioned case against Moriah Software Management LP with prejudice subject to the conditions that follow; (2) the dismissal herein shall have absolutely no preclusive effect of any kind (*e.g.*, *res judicata*, *collateral estoppel*, *judicial estoppel*, *etc.*) with respect to any other persons or entities and shall not in any manner bar, obstruct, or impede Pegaso Development Inc. from prosecuting, pursuing, litigating, suing, and/or advancing any Unreleased Claims.

SO ORDERED.

Dated: April 13, 2020

New York, New York



ANALISA TORRES
United States District Judge